

WILMERHALE

September 12, 2013

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VIA ECF

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Honorable Cathy Seibel
United States District Court for the Southern District of New York
The Honorable Charles L. Brieant Jr. Federal Building and United States Courthouse
Room 218
300 Quarropas Street
White Plains, NY 10601-4150

Re: *Bozella v. County of Dutchess, et al.*, No. 10 Civ. 4917 (S.D.N.Y.)

Dear Judge Seibel:

I write to respond to one point in Mr. Burke's letter submitted to the Court today.

The Defendants' proposal of today affords Plaintiff only *seven* days to oppose any motion to strike, which is contrary to the Court's order granting 30 days for Plaintiff to serve its opposition. *See* Dkt. Nos. 127 and 129. It also modifies the schedule Defendants proposed yesterday to extend their time to serve a reply brief from seven days to 38 days. *See* Ex. B to Macdonald letter to the Court, dated September 11, 2013 [Dkt. No. 132-2].

The balance of the items in Mr. Burke's letter have been addressed in our earlier submissions and the Court's prior rulings.

Respectfully submitted,



Peter J. Macdonald

cc: Patrick T. Burke, Esq. (*via email*)